

**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

18 On August 2, 2010, the court issued an order (docket #8) consolidating this civil rights  
19 action with three other actions that raised nearly identical allegations: that the inmate-plaintiffs are  
20 insulin-dependent diabetics and that on or about the end of June 2010, Southern Desert Correctional  
21 Center (“SDCC”) medical personnel issued them a different type of insulin syringes that were not  
22 single-use syringes. (*Frixione v. Skolnik, et al.*, 2:10-cv-01235-PMP-RJJ (docket #1); *Jones v. Skolnik*,  
23 *et al.*, 2:10-cv-01214-RLH-LRL (docket #1); *Rea v. Skolnik, et al.*, 2:10-cv-01217-PMP-PAL (docket  
24 #1)). Plaintiffs in the latter three cases additionally allege that when inmate Halverson questioned staff  
25 about the expiration date of the syringes, the staff collected and removed or concealed the remaining  
26 syringes. Halverson helped the plaintiff in these three cases prepare their complaints, and all three

1 complaints name the same defendants, allege the same facts and constitutional violations and seek  
 2 similar injunctive relief.<sup>1</sup> On July 16, 2010, an SDCC inmate filed a fifth action regarding the same  
 3 allegations, which was subsequently consolidated with the above matters (*Powell v. Skolnik, et al.*, 2:10-  
 4 cv-01182-PMP-LRL).

5 On July 29, 2010, another SDCC inmate filed a sixth action that again sets forth nearly  
 6 identical allegations as those described above (*Charbonnet v. Skolnik, et al.*, 2:10-cv-01273-GMN-RJJ  
 7 (docket #1)). Halverson also assisted Charbonnet in preparing his complaint.

8 Under Rule 42 of the Federal Rules of Civil Procedure, the court may consolidate actions  
 9 when they “involve a common question of law or fact.” FRCP 42(a)(2). Such consolidation promotes  
 10 judicial efficiency and avoids potentially conflicting results. *See generally*, FRCP 42. The instant  
 11 action, along with the three other actions discussed herein, involve nearly identical allegations, and thus  
 12 clearly involve common questions of law or fact. Accordingly, the instant case is consolidated with the  
 13 four other actions discussed herein that have previously been consolidated.

14 **IT IS THEREFORE ORDERED** that the following action shall be consolidated  
 15 pursuant to FRCP 42:

16 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ  
 17 with the cases that were previously consolidated, the lead case being  
 18 HALVERSON V. SKOLNIK, ET AL, 2:10-cv-01132-PMP-LRL.

19 **IT IS FURTHER ORDERED** the following action:

20 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ  
 21 is hereby re-assigned to United States District Judge Philip M. Pro and United States Magistrate Judge  
 22 Lawrence R. Leavitt.

23 **IT IS FURTHER ORDERED** that the Clerk of Court **shall file** a copy of this order in  
 24 each of these actions:

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26 <sup>1</sup>The complaints in all consolidated actions will be screened pursuant to 28 U.S.C. § 1915(e)(2)  
 after the receipt and resolution of applications to proceed *in forma pauperis*.

1 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ;  
2 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;  
3 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;  
4 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;  
5 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

6 **IT IS FURTHER ORDERED** that the Clerk of Court **shall modify** the docket of each  
7 of these actions:

8 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL;  
9 CHARBONNET V. SKOLNIK, ET AL., 2:10-cv-01273-GMN-RJJ;  
10 POWELL V. SKOLNIK, ET AL., 2:10-cv-01182-JCM-PAL;  
11 FRIXIONE V. SKOLNIK, ET AL., 2:10-cv-01235-PMP-RJJ;  
12 JONES V. SKOLNIK, ET AL., 2:10-cv-01214-RLH-LRL;  
13 REA V. SKOLNIK, ET AL., 2:10-cv-01217-PMP-PAL

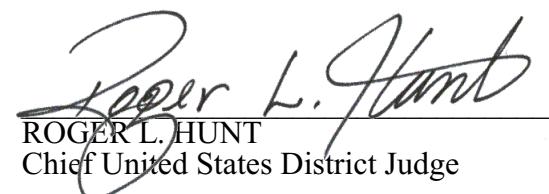
14 to reflect that these six matters have been consolidated and that the lead action is:

15 HALVERSON V. SKOLNIK, ET AL., 2:10-cv-01132-PMP-LRL.

16 **IT IS FURTHER ORDERED** that each of the actions shall proceed in its own right.

17  
18 DATED this 20<sup>th</sup> day of September, 2010.

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ROGER L. HUNT  
Chief United States District Judge